

**Iowa Department of Natural Resources  
Natural Resource Commission**

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**ITEM**

**17**

**DECISION**

**TOPIC**

**Notice of Intended Action – Chapter 571 – 52, “Wildlife Refuges,”**

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The Commission is requested to approve this Notice of Intended Action to amend Chapter 571 – 52, Wildlife Refuges. Chapter 571 – 52 establishes state-owned lands and water under the jurisdiction of the Commission and the Department for the purpose of preserving the biological balance pursuant to the provisions of Iowa Code section 481A.39; for the protection of public parks, public health safety and welfare; and to effect sound wildlife management. This amendment changes the dates restricting public access to refuges from September 10 through December 31 to September 1 through January 31, and redefines the Rathbun Area to apply to all the counties that include Rathbun Lake: Appanoose, Lucas, and Wayne Counties. The rule also modifies the implementation paragraph to reflect the code sections that it implements.

Ken Herring, Administrator  
Conservation and Recreation Division  
March 13, 2008

Attachment: Chapter 52, Wildlife Refuges NOIA

NATURAL RESOURCE COMMISSION [571]  
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 52, "Wildlife Refuges," Iowa Administrative Code.

This amendment changes the dates restricting public access to refuges from September 10 through December 31 to September 1 through January 31 and redefines the Rathbun Area to apply to Appanoose, Lucas, and Wayne Counties; all the counties that include the reservoir. The rule also modifies the implementation paragraph to reflect the code sections that it implements.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 29, 2008. Written comments may be directed to the Wildlife Bureau's website at [www.iowadnr.gov](http://www.iowadnr.gov) or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515) 281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515) 281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building. Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 29, 2008. Interested persons should contact the Department at (515) 281-5918 for a list of hearing locations or go to the Department's website at [www.iowadnr.gov](http://www.iowadnr.gov). At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

The following amendments are proposed.

**Item 1.** Amend subrule 571 – 52.1(2)"a", as follows:

**52.1(2)** Wildlife refuges.

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as game refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, between the dates of September ~~10~~ 1 and ~~December~~ January 31 of each year, both dates inclusive, except that department personnel and law enforcement officials may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

Area	County
Lake Icaria . . . . .	Adams
Pool Slough Wildlife Area . . . . .	Allamakee
Rathbun Area . . . . .	Appanoose, <u>Lucas, Wayne</u>
Sedan Bottoms . . . . .	Appanoose
Wildlife Exhibit Area . . . . .	Boone
Sweet Marsh . . . . .	Bremer

Big Marsh . . . . .	Butler
South Twin Lake . . . . .	Calhoun
Round Lake . . . . .	Clay
Allen Green Refuge . . . . .	Des Moines
Henderson . . . . .	Dickinson
Jemmerson Slough Complex . . . . .	Dickinson
Spring Run . . . . .	Dickinson
Ingham Lake . . . . .	Emmet
Forney Lake . . . . .	Fremont
Riverton Area . . . . .	Fremont
Dunbar Slough . . . . .	Greene
Bays Branch . . . . .	Guthrie
Green Island Area . . . . .	Jackson
Hawkeye Wildlife Area . . . . .	Johnson
Muskrat Slough . . . . .	Jones
Colyn Area . . . . .	Lucas
Red Rock Area . . . . .	Marion, Polk, Warren
Badger Lake . . . . .	Monona
Tieville/Decatur Bend . . . . .	Monona
Five Island Lake . . . . .	Palo Alto
Big Creek-Saylorville Complex . . . . .	Polk
Chichaqua Area . . . . .	Polk
Smith Area . . . . .	Pottawattamie
McCausland . . . . .	Scott
Princeton Area . . . . .	Scott
Prairie Rose Lake . . . . .	Shelby
Otter Creek Marsh . . . . .	Tama
Green Valley Lake . . . . .	Union
Three Mile Lake . . . . .	Union
Lake Sugema . . . . .	Van Buren
Rice Lake Area . . . . .	Winnebago
Snyder Lake . . . . .	Woodbury
Elk Creek Marsh . . . . .	Worth
Lake Cornelia . . . . .	Wright

**ITEM 2.** Amend 571—Chapter 52, implementation sentence, as follows:

This rule is intended to implement Iowa Code section 481A.5, 481A.6, ~~481A.8~~, 481A.9, and 481A.39.

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Date

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Richard A. Leopold, Director